

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

Charles R. Williams II

Plaintiff

vs.

CASE NUMBER: 5:22-cv-1367 (TJM/ATB)

**County of Onondaga, City of Syracuse,
Walter B. Coffin, Esq., Dallas Pelz,
Arthur Stripling, Tonya Burton, Tammy McNeilly,
Shasha Thornton, Esteban B. Gonzalez, Corey Moore,
Daniel Lavy, James Schmunk, Napcare Providers,
Erin (LPN) Napcare Providers,**

Defendants

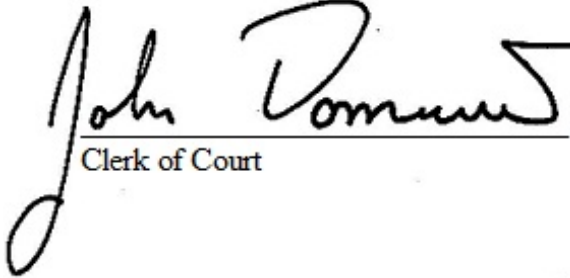
Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED: DECISION & ORDER adopting Report and Recommendations re 8 Report and Recommendations. The Report-Recommendation of Judge Baxter, dkt. # 8, is hereby ACCEPTED and ADOPTED. Plaintiffs Complaint is hereby dismissed, as follows: 1. Plaintiffs claims against: (a) Defendant Judges Hon. Stephen J. Dougherty and Hon. Rory A. McMahon and (b) Assistant District Attorneys Jarrett Woodfork, Michael Whalen, Anthony Mangovski, and Alphonse Williams are hereby DISMISSED WITH PREJUDICE; 2. All of Plaintiffs claims based on testimony before a grand jury or trial by Defendants Officer Dallas Pelz, Arthur Stripling, Tonya Burton, Tammy McNeilly, and Sasha Thornton are hereby DISMISSED WITH PREJUDICE; 3. Any claims based on violations of state or federal criminal statutes are hereby DISMISSED WITH PREJUDICE; 4. All claims against any sub-entities or departments of the City of Syracuse, New York, or Onondaga County, New York, are hereby DISMISSED WITH PREJUDICE; 5. All claims identified in Judge Baxters Report-Recommendation as barred by Heck v. Humphrey are hereby DISMISSED WITHOUT PREJUDICE BUT WITHOUT LEAVE TO AMEND UNLESS AND UNTIL Plaintiffs criminal conviction is reversed on direct appeal, expunged by executive order, declared invalid by a state tribunal authorized to make such a determination, or called into question by a federal courts issuance of a writ of habeas corpus; and 6. All of Plaintiffs remaining claims are DISMISSED WITHOUT PREJUDICE AND WITH LEAVE TO AMEND. Should Plaintiff choose to submit an Amended Complaint, he shall do so within forty-five (45) days of the date of this order. Plaintiff is advised that ANY AMENDED PLEADING MUST BE A COMPLETE PLEADING, WHICH SHALL SUPERSEDE THE ORIGINAL. PLAINTIFF MUST INCLUDE ALL THE REMAINING FACTS AND CAUSES OF ACTION IN THE AMENDED COMPLAINT. NO FACTS OR

CLAIMS FROM THE ORIGINAL COMPLAINT MAY BE INCORPORATED BY REFERENCE. Plaintiff's Complaint dismissed for failure to file an amended complaint in the time permitted.

All of the above pursuant to the order of the Honorable Thomas J. McAvoy, dated the 16th day of March, 2023.

DATED: May 17, 2023


Clerk of Court

By: s/Kathy Rogers
Deputy Clerk